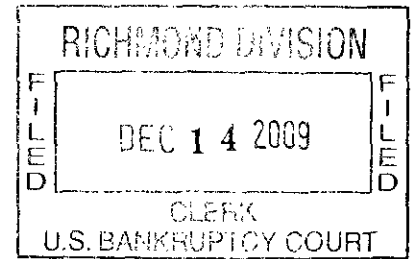


December 12, 2009

Response and Information regarding the Hearing of the Objection

1) Name of Bankruptcy Court: United States Bankruptcy Court  
Eastern District of Virginia  
Richmond Division  
Clerk of the Bankruptcy Court  
701 East Broad Street – Room 4000  
Richmond, VA 23219



2) Name of Debtors: Circuit City Stores, Inc., et al

3) Case Number: 08-35653 – KRH  
Chapter 11

4) Title of the Objection: Seeks to Disallow Claim

5) Claimant Name: Patricia Johnson  
2680 Bellhurst Dr.  
Dunedin, FL 34698  
727-736-2839

6) Claim Number: 13035

7) Amount claimed as filed: \$799.99

Reason to overrule objection:

I, Patricia Johnson, object to the disallowing of my claim in the amount of \$799.99 for the installation of a home theater system purchased from Circuit City Stores (see attached documentation) which was to be installed by their FireDog service. The installation was never performed by the FireDog service. We contacted Circuit City (see attached emails) and we were told we would receive a refund which we never received. We needed to get our home theater installed so we had another service, High Definition Solutions, install it for \$542.00 on 1/31/09 (see attached receipt).

My husband, Gary Johnson, has personal knowledge of this claim since he initially contacted Circuit City regarding our refund.

Gary Johnson  
2680 Bellhurst Dr.  
Dunedin, FL  
727-736-2839

Notice Address: Patricia Johnson  
2680 Bellhurst Dr.  
Dunedin, FL 34698  
727-736-2839

Authority of Reconcile: Gary Johnson  
2680 Bellhurst Dr.  
Dunedin, FL 34698  
727-736-2839

**Johnson, Patricia D. (Local Prod)**

---

**From:** Gary.Johnson@myClearwater.com  
**Sent:** Wednesday, February 11, 2009 6:32 PM  
**To:** customer\_care@circuitcity.com  
**Cc:** Johnson, Patricia D. (Local Prod)  
**Subject:** RE: fire dog service [#2958636]

Hello Circuit City Customer Care. Please advise regarding the confirmation request in the e-mail below from last Thursday, February 5th, 2009 for the referenced fire dog service (#2958636) or lack thereof. We would like to know the amount of the refund check and when it will be sent.

Thank you very much for you assistance with this unfortunate situation!

Sincerely,

Gary A. Johnson

-----Original Message-----

**From:** Gary.Johnson@myClearwater.com  
[mailto:Gary.Johnson@myClearwater.com]  
**Sent:** Thursday, February 05, 2009 1:05 PM  
**To:** customer\_care@circuitcity.com  
**Cc:** Johnson, Patricia D. (Local Prod)  
**Subject:** RE: fire dog service [#2958636]

Hello Steven - as a follow up to this e-mail I was wondering how much the check will be for and when it will be sent?

Thanks again for all of your assistance!

Gary

-----Original Message-----

**From:** Johnson, Gary  
**Sent:** Thursday, January 29, 2009 9:59 AM  
**To:** 'customer\_care@circuitcity.com'  
**Cc:** 'patricia.johnson@nielsen.com'  
**Subject:** Re: fire dog service [#2958636]

Outstanding news, Steven!

Please send the check to 2680 Bellhurst Drive, Dunedin, Florida, 34698.

Thank you very much!.

Gary A. Johnson, C.G.C.

Public Services Director  
City of Clearwater  
(727) 562-4780

-----  
Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Circuit City Customer Care <customer\_care@circuitcity.com>  
To: Johnson, Gary  
Sent: Thu Jan 29 09:48:51 2009  
Subject: Re: fire dog service [#2958636]

Dear Gary Johnson:

Thank you for writing to circuitcity.com <<http://www.circuitcity.com/>> with your inquiry

I apologize for any inconvenience that you may have experienced. Please provide your current home mailing address for a refund check for this unused installation as soon as possible.

Thank you for giving us this chance to assist you. Feel free to contact us in the future with other questions you may have. We're here to help!

Sincerely,

Steven H  
Customer Support Coordinator  
Case # 2958636

--Original Message--

From: Gary.Johnson@myClearwater.com  
Date: 1/28/2009 12:48:33 PM  
To: customer\_care@circuitcity.com  
Cc: patricia.johnson@nielsen.com  
Subject: Re: fire dog service [#2958636]

I did that on 01-26 and Joey advised that he had to get approval from Rick the Liquidation Manager in Richmond. No one from the store has called since then.

Thanks again for your assistance. I remain obtamistic that we can work this out!

Gary A. Johnson, C.G.C.  
Public Services Director  
City of Clearwater  
(727) 562-4780

-----  
Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Circuit City Customer Care  
To: Johnson, Gary  
Sent: Wed Jan 28 12:31:01 2009  
Subject: Re: fire dog service [#2958636]

Dear Valued Customer:

Thank you for writing to circuitcity.com with your inquiry. I would recommend that you contact the local Circuit City store manager for further assistance regarding this matter.

I apologize for any inconvenience that you may have experienced.

Thank you for giving us this chance to assist you. Feel free to contact us in the future with other questions you may have. We're here to help!

Sincerely,

Niesha Brown  
Customer Support Coordinator  
Case # 2958636

--Original Message--

From: Gary.Johnson@myClearwater.com  
Date: 1/28/2009 12:17:12 PM  
To: customer\_care@circuitcity.com  
Cc: patricia.johnson@nielsen.com  
Subject: Re: fire dog service [#2958636]

Your records are inaccurate.

The service was never performed.

Brent at store number 00891 confirmed this fact two days ago on January 26.

Please recheck your data.

Sincerely

Gary A. Johnson, C.G.C.  
Public Services Director  
City of Clearwater  
(727) 562-4780

-----  
Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Circuit City Customer Care  
To: Johnson, Gary  
Sent: Wed Jan 28 11:45:19 2009  
Subject: RE: fire dog service [#2958636]

Dear Valued Customer:

Thank you for writing to circuitcity.com with your inquiry. I have researched and found out that our records indicate that the service has been performed on 9/22/2008. I would recommend that you visit the local Circuit City store in which your purchase was made for further assistance.

I apologize for any inconvenience that you may have experienced.

Thank you for giving us this chance to assist you. Feel free to contact us in the future with other questions you may have. We're here to help!

Sincerely,

Niesha Brown  
Customer Support Coordinator  
Case # 2958636

--Original Message--

From: Gary.Johnson@myClearwater.com  
Date: 1/28/2009 11:03:17 AM  
To: customer\_care@circuitcity.com  
Cc: patricia.johnson@nielsen.com  
Subject: RE: fire dog service [#2958636]

Thank you for the prompt response. There are many numbers on the receipt so I will include all of them. The Store Number is #00891, the Transaction # is 0797, the Customer # is 318560054, the Cashier # is 10365390, the Bar Code # is 00891024079720070922 and the date is 09/22/07. The people we spoke with at the store in December told us not to worry about the date as there was no expiration date on the Firedog service.

We appreciate any assistance you can provide.

Sincerely,

Gary Johnson

-----Original Message-----

From: Circuit City Customer Care [mailto:customer\_care@circuitcity.com]  
Sent: Wednesday, January 28, 2009 10:27 AM  
To: Johnson, Gary

Subject: RE: fire dog service [#2958636]

Dear Valued Customer:

Thank you for writing to circuitcity.com with your inquiry. If you could please provide me with the ticket number, I would be glad to research your issue further. I apologize for any inconvenience that you may have experienced.

I would appreciate a chance to assist you. Feel free to contact us again. Thank you for your interest in Circuit City.

Sincerely,

Niesha Brown  
Customer Support Coordinator  
Case # 2958636

--Original Message--

From: Gary.Johnson@myClearwater.com  
Date: 1/27/2009 4:04:11 PM  
To: customer\_care@circuitcity.com  
Cc: patricia.johnson@nielsen.com  
Subject: RE: fire dog service [#2958636]

Thank you for the response, Ms. Baker.

Your reply states that you have already refunded all installation orders but we never received a refund.

I've copied my wife as the original order is in her name.

My wife visited the store after the holidays and was told they would install the system when we called for an appointment. When we recently tried to make an appointment we could not get through on the phone or the website.

I visited the store yesterday and Brent confirmed that the installation never occurred.

We spent \$799.99 plus tax for the Firedog Premium Wall Mount Package and we either want the TV and sound system installed or a refund so we can pay someone else to install the system.

Sincerely,

Gary

-----Original Message-----

From: Circuit City Customer Care [mailto:customer\_care@circuitcity.com]  
Sent: Tuesday, January 27, 2009 10:08 AM  
To: Johnson, Gary

Subject: Re: fire dog service [#2958636]

Dear Gary Johnson:

Thank you for writing to circuitcity.com with your inquiry about your installation. I have researched your question and found out we have already refunded all installations orders.

I apologize for any inconvenience that you may have experienced.

Thank you for giving us this chance to assist you. Feel free to contact us in the future with other questions you may have. We're here to help!

Sincerely,

Williamenia Baker  
Customer Support Coordinator  
Case # 2958636

--Original Message--

From: Gary.Johnson@myClearwater.com  
Date: 1/26/2009 11:30:00 AM  
To: customer\_care@circuitcity.com  
Subject: fire dog service

I purchased a 52" TV and home entertainment center from the Circuit City in Clearwater, Florida. I just tried to schedule Fire Dog for the install and cannot get through on the phone or internet. If they are out of business how do I get a refund for this service that was never performed?

Thank you

Gary Johnson

Justin  
Charles



Just what I needed.™

Circuit City Store, Inc.  
Store 00891  
24244 BAYWAY 19 NORTH  
CLEARWATER FL 33765  
(727) 726-2899

726 2899

09/22/2007 5:50:32 PM  
Trans: 0797 Store: 00891  
Reg: 024 Till: 024  
Card: 10365390 Sales: 5390  
Phone: 318560054

SALE



00891024079720070922

1 HDMI CABLE 49.99 T  
1 @ 49.99 C

12" SUBWOOFER CABLE 44.99 T  
1 @ 44.99 C

50" PLASMA HDTV (136 1,299.99 T  
1 @ 1,299.99 C  
warranty Protection Plan 499.99

1 XP 100 FT MINI S 49.99 T  
1 @ 49.99 C

1 XP 100 FT MINI S 49.99 T  
1 @ 49.99 C

50" PREMIUM WALL MOUNT 799.99 T  
1 @ 799.99 C

HTIB, 7.1CH RECEIVER 599.99 T  
1 @ 599.99 C

FLAT 14" MON 149.99 T  
1 @ 149.99 C

FIRE DOG  
PREMIUM WALL MOUNT  
HOME THEATER INSTALLATION  
\$ 799.99





Opening/Closing Date: 09/22/07 - 10/04/07  
 Payment Due Date: 10/29/2007  
 Minimum Payment Due: \$90.00

**CUSTOMER SERVICE**  
 In U.S. 1-866-522-7587  
 Español 1-866-522-7587  
 TDD 1-800-828-1140  
 Pay by phone 1-866-522-7587

### VISA ACCOUNT SUMMARY

Account Number: [REDACTED] 9116

Previous Balance \$0.00  
 Purchases, Debits +\$3,571.06  
 New Balance \$3,571.06

Credit Line \$8,000  
 Available Credit \$4,428  
 Available for Cash Advance \$4,000  
 (Included in available credit amount)

### ACCOUNT INQUIRIES

P.O. Box 15678  
 Wilmington, DE 19885-5678

### PAYMENT ADDRESS

PO Box 15291  
 Wilmington, DE 19886-5291

### VISIT US AT:

[www.cardaccountservice.com/circuitcity](http://www.cardaccountservice.com/circuitcity)

Please see enclosed (Privacy Policy and Change in Terms notice) for important information about your account.

### REWARDS POINTS SUMMARY

Your Circuit City Rewards ID Number 70062726222

Rewards Points you have earned through 10/04/2007 16725

Total Rewards Points available for redemption 0

Rewards Points pending in your account 16725

Redeem your rewards points today and use your Rewards Certificates towards your next purchase at Circuit City. For every 500 points you earn, you'll receive a \$5 Rewards Certificate. Just visit [circuitcityrewards.com](http://circuitcityrewards.com) anytime to check your point balance and redeem for Rewards Certificates.

### TRANSACTIONS

Trans Date	Reference Number	Merchant Name or Transaction Description	Amount	
			Credit	Debit
09/22	089104995083000000000000	CIRCUIT CITY PURCHASE 132 VIDEO CABLES AND ACC 272 AUDIO CABLES AND ACC 126 PLASMA TV → 193 FLAT PANEL INSTALLATION 128 HTIB 127 TV MOUNTS		\$3,571.06

### FINANCE CHARGE SUMMARY

Balance Type	Average Daily Balance	Daily Periodic Rate 30 Days in Cycle	Corresponding Annual Percentage Rate	PERIODIC FINANCE CHARGE
Purchases A	\$0.00	0.04723%	17.24%	\$0.00
Purchases C	\$0.00	0.06436%	23.49%	\$0.00

Effective Annual Percentage Rate (APR): 0.00%

Please see Explanation of Finance Charge section for balance computation method, grace period, and other important information.

The Corresponding Annual Percentage Rate is the rate of interest you pay when you carry a balance on any balance type.

The Effective APR represents your total finance charges - including transaction fees such as cash advance and balance transfer fees - expressed as a percentage.

### IMPORTANT NEWS

Let Circuit City be your one-stop destination for all your home entertainment needs. With the latest in Hi Def TVs, you'll love our selection and value ...and as always you have 3 Ways to Buy: shop 24/7 at [circuitcity.com](http://circuitcity.com), in-store at one of over 600 locations, or call at 800-593-4391.

B 10 (Official Form 10) (12/08)

<b>UNITED STATES BANKRUPTCY COURT</b> <b>Eastern District of Virginia</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: <u>CIRCUIT CITY STORES, INC.</u>		Case Number: <u>08-35653-KRH</u>
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property):		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: <u>PATRICIA JOHNSON</u> <u>2680 BELLHURST DR.</u> <u>DUNEDIN, FL 34698</u> Telephone number: <u>727-736-2839</u>		Court Claim Number: _____ (If known)
Name and address where payment should be sent (if different from above):  Telephone number: _____		Filed on: _____
1. Amount of Claim as of Date Case Filed: <u>\$ 799.99</u> <u>Seven hundred ninety-nine and 99/100</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.  Specify the priority of the claim.
2. Basis for Claim: <u>PURCHASED HOME THEATER INSTALLATION</u> (See instruction #2 on reverse side.)		<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).
3. Last four digits of any number by which creditor identifies debtor: <u>9116</u> <u>CHASE CREDIT CARD</u>  3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		<input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4).
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:  Value of Property: \$ _____ Annual Interest Rate _____ %  Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____  Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).  <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).  <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)( ).
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		Amount entitled to priority: \$ _____
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:		*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
Date: <u>5-7-09</u>  Signature: <u>Patricia D Johnson</u> Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.		<b>FOR COURT USE ONLY</b>

B 10 (Official Form 10) (12/08) - Cont.

#### INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

##### Items to be completed in Proof of Claim form

#### Court, Name of Debtor, and Case Number:

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

#### Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

#### 1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

#### 2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

#### 3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

#### 3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

#### 4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

#### 5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

#### 6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

#### 7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

#### Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

#### DEFINITIONS

#### INFORMATION

##### Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

##### Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

##### Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

##### Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

##### Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

##### Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

##### Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

##### Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

##### Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

##### Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

##### Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(c), any applicable provisions of the Bankruptcy Code (11 U.S.C. §101 *et seq.*), and any applicable orders of the bankruptcy court.

Patricia D. Johnson  
2680 Bellhurst Dr  
Dunedin, FL 34698

U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
701 EAST BROAD ST., SUITE 4000  
RICHMOND, VA

23219

**High Definition Solutions**

1621 Paloma Lane  
Dunedin, FL 34698  
727.773.5405

**Invoice: 104**  
**Date: 01/31/09**

**To: Gary Johnson**  
**2680 Bellhurst Dr**  
**Dunedin, FL 34698**

**1- Premium ON-Wall Installation \$500**

+ Home \$80  
+ Cable Modem \$12

**Total Due \$500.00**

3120

01/31/09

Gregg M. Galardi, Esq.  
Ian S. Fredericks, Esq.  
SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM, LLP  
One Rodney Square  
PO Box 636  
Wilmington, Delaware 19899-0636  
(302) 651-3000

Dion W. Hayes (VSB No. 34304)  
Douglas M. Foley (VSB No. 34364)  
MCGUIREWOODS LLP  
One James Center  
901 E. Cary Street  
Richmond, Virginia 23219  
(804) 775-1000

- and -

Chris L. Dickerson, Esq.  
SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM, LLP  
155 North Wacker Drive  
Chicago, Illinois 60606  
(312) 407-0700

Counsel to the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - - x  
In re: : Chapter 11  
:   
CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)  
et al., :   
:   
Debtors. : Jointly Administered  
- - - - - x

**NOTICE OF DEBTORS' SIXTIETH OMNIBUS OBJECTION  
TO CLAIMS (DISALLOWANCE OF CERTAIN (I) NO LIABILITY (LEGAL  
CLAIMS); (II) NO LIABILITY (MISCELLANEOUS CLAIMS);  
AND (III) NO LIABILITY (SUBCONTRACTOR CLAIMS))**

**PLEASE TAKE NOTICE THAT** the above-captioned Debtors (the "Debtors") filed their Sixtieth Omnibus Objection to Claims (Disallowance of Certain (i) No Liability (Legal Claims); (ii) No Liability (Miscellaneous Claims); and (iii) No Liability (Subcontractor Claims)) (the "Objection") with the Bankruptcy Court. A copy of the Objection is attached to this notice (this "Notice") as Exhibit 1. By the Omnibus Objection, the Debtors are seeking to disallow certain claims.

**PLEASE TAKE FURTHER NOTICE THAT** on April 1, 2009, the Bankruptcy Court entered the Order Establishing Omnibus Objection Procedures and Approving the Form and Manner of the

Notice of Omnibus Objections (Docket No. 2881) (the "Order"), by which the Bankruptcy Court approved procedures for filing omnibus objections to proofs of claim and requests for allowance and payment of administrative expenses and/or cure claims (collectively, the "Claims") in connection with the above-captioned chapter 11 cases (the "Omnibus Objection Procedures").

Specifically, the Objection seeks to disallow certain claims, including your claim(s), listed below, all as set forth in the Objection.

<u>TO</u>	<u>Claim Number</u>	<u>Amount Claimed as Filed</u>
Patricia Johnson 2680 Bell Hurst Dr Dunedin, FL 34698 USA	13035	\$799.99

YOU ARE RECEIVING THIS NOTICE BECAUSE THE PROOF(S) OF CLAIM LISTED HEREIN THAT YOU FILED AGAINST ONE OR MORE OF THE DEBTORS IN THE ABOVE-CAPTIONED CHAPTER 11 CASES ARE SUBJECT TO THE OBJECTION. YOUR RIGHTS MAY BE AFFECTED BY THE OBJECTION. THEREFORE, YOU SHOULD READ THIS NOTICE (INCLUDING THE OBJECTION AND OTHER ATTACHMENTS) CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

MOREOVER, PURSUANT TO RULE 3007-1 OF THE LOCAL RULES OF THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA AND THE OMNIBUS OBJECTION PROCEDURES, UNLESS A WRITTEN RESPONSE AND A REQUEST FOR A HEARING ARE FILED WITH THE CLERK OF THE COURT AND SERVED ON THE OBJECTING PARTY BY 4:00 P.M. (EASTERN) ON DECEMBER 14, 2009, THE COURT MAY DEEM ANY OPPOSITION WAIVED, TREAT THE OBJECTION AS CONCEDED AND ENTER AN ORDER GRANTING THE RELIEF REQUESTED WITHOUT A HEARING.

Critical Information for Claimants  
Choosing to File a Response to the Objection

Who Needs to File a Response: If you oppose the relief requested in the Objection and if you are unable to resolve the

Objection with the Debtors before the deadline to respond, then you must file and serve a written response (the "Response") to the Objection in accordance with this Notice.

If you do not oppose the relief requested in the Objection, then you do not need to file a written Response to the Objection and you do not need to appear at the hearing.

Response Deadline: The Response Deadline is **4:00 p.m. (Eastern Time) on December 14, 2009 (the "Response Deadline")**.

THE BANKRUPTCY COURT WILL ONLY CONSIDER YOUR RESPONSE IF YOUR RESPONSE IS FILED, SERVED AND RECEIVED BY THE RESPONSE DEADLINE.

Your Response will be deemed timely filed only if the Response is actually received on or before the Response Deadline by the Bankruptcy Court at the following address:

Clerk of the Bankruptcy Court  
United States Bankruptcy Court  
701 East Broad Street - Room 4000  
Richmond, Virginia 23219

Your Response will be deemed timely served only if a copy of the Response is actually received on or before the Response Deadline by the Debtors' attorneys:

SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP One Rodney Square PO Box 636 Wilmington, DE 19899-0636 Attn: Gregg M. Galardi Attn: Ian S. Fredericks	MCGUIREWOODS LLP One James Center 901 E. Cary Street Richmond, VA 23219 Attn: Dion W. Hayes Attn: Douglas M. Foley
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- and -

SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM, LLP  
155 North Wacker Drive  
Chicago, Illinois 60606  
Attn: Chris L. Dickerson



The status hearing on the Objection will be held at 10:00 a.m. (Eastern) on December 21, 2009 at:

United States Bankruptcy Court  
701 East Broad Street - Courtroom 5100  
Richmond, Virginia 23219

If you file a timely Response, in accordance with the Objection Procedures, you do not need to appear at the status hearing on the Objection.

**Procedures for Filing a Timely Response and  
Information Regarding the Hearing on the Objection**

**Contents.** To facilitate a speedy and non-judicial resolution of a Claim subject to the Objection, any claimant filing a Response shall use its best efforts to include the following (at a minimum) in its filed Response, to the extent such materials are not attached to its proof of claim:

- a. a caption setting forth the name of the Bankruptcy Court, the name of the Debtors, the case number and the title of the Objection to which the Response is directed;
- b. the claimant's name and an explanation for the amount of the Claim;
- c. a concise statement, executed by (or identifying by name, address and telephone number) a person with personal knowledge of the relevant facts that support the Response, setting forth the reasons why the Bankruptcy Court should overrule the Objection as to the claimant's claim, including, without limitation (to the extent not set forth in its proof of claim), the specific factual and legal bases upon which the claimant intends to rely in support of its Response and its underlying Claim;
- d. a copy of or identification of any other documentation or other evidence of the Claim, to the extent not already included with the Claim that the claimant presently intends to introduce into evidence in support of its Claim at the hearing; provided, however, that for a Response filed in support of a Claim arising out of a lease of real property, the Response need not

attach such lease if the claimant indicates its willingness to provide such documentation upon request;

- e. a declaration of a person with personal knowledge of the relevant facts that support the Response; and
- f. the claimant's address, telephone number and facsimile number and/or the name, address, telephone number and facsimile number of the claimant's attorney and/or designated representative to whom the attorneys for the Debtors should serve a reply to the Response, if any (collectively, the "Notice Address"). If a Response contains Notice Address that is different from the name and/or address listed on the Claim, the Notice Address will control and will become the service address for future service of papers with respect to all of the claimant's Claims listed in the Objection (including all Claims to be disallowed) and only for those Claims in the Objection.
- g. To the extent such person differs from the person identified pursuant to subsection e, above, the name, address, telephone number, facsimile number, and electronic mail address of the representative of the claimant (which representative may be the claimant's counsel) party with authority to reconcile, settle or otherwise resolve the Objection on the claimant's behalf (collectively, the "Additional Addresses"). Unless the Additional Addresses are the same as the Notice Addresses, the Additional Address will not become the service address for future service of papers.

**Additional Information.** To facilitate a resolution of the Objection, your Response should also include the name, address, telephone number and facsimile number of the party with authority to reconcile, settle or otherwise resolve the Objection on the claimant's behalf. Unless the Additional Addresses are the same as the Notice Addresses, the Additional Addresses will not become the service address for future service of papers.

**Failure to File Your Timely Response.** If you fail to file and serve your Response on or before the Response Deadline in compliance with the procedures set forth in this Notice, the Debtors will present to the Bankruptcy Court an appropriate order granting the relief requested in the Objection without further notice to you.

**Each Objection Is a Contested Matter.** Each Claim subject to the Objection and the Response thereto shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014, and any order entered by the Bankruptcy Court will be deemed a separate order with respect to such claim.

**Additional Information**

**Requests for Information.** You may also obtain a copy of the Objection or related documents on the internet, by accessing the website of the Debtors at [www.kccllc.net/circuitcity](http://www.kccllc.net/circuitcity).

**Reservation of Rights.** Nothing in this Notice or the Objection constitutes a waiver of the Debtors' right to assert any claims, counterclaims, rights of offset or recoupment, preference actions, fraudulent-transfer actions or any other claims against you by the Debtors. Unless the Bankruptcy Court allows your Claims or specifically orders otherwise, the Debtors have the right to object on any grounds to the Claims (or to any other Claims or causes of action you may have filed or that have been scheduled by the Debtors) at a later date on any grounds or bases. In such event, you will receive a separate notice of any such objections.

Dated: November 20, 2009  
Richmond, Virginia

SKADDEN, ARPS, SLATE, MEAGHER &  
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Gregg M. Galardi, Esq.  
Ian S. Fredericks, Esq.  
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- and -

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- and -

MCGUIREWOODS LLP

/s/ Douglas M. Foley  
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Douglas M. Foley (VSB No. 34364)  
One James Center  
901 E. Cary Street  
Richmond, Virginia 23219  
(804) 775-1000

Counsel for Debtors and Debtors  
in Possession

CASE No: 08-35653

PRF 22406

SVC: 3

PACK No: 40

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2680 BELL HURST DR  
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